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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [QA](#)  
SUBJECT: QATAR -- 2009 TIP REPORT: PRESS GUIDANCE AND  
DEMARCHE

REF: A. STATE 59732  
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Qatar of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Qatar and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Qatar of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Qatar,s country narrative in the 2009 TIP Report:

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QATAR (Tier 2 Watch List)  
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Qatar is a transit and destination country for men and women trafficked for the purposes of involuntary servitude and, to a lesser extent, commercial sexual exploitation. Men and women from India, Pakistan, Bangladesh, Nepal, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily travel to Qatar as laborers and domestic servants, but some subsequently face conditions indicative of involuntary servitude. These conditions include threats of serious harm, including financial harm; job switching; withholding of pay; charging workers for benefits for which the employer is responsible; restrictions on freedom of movement, including the confiscation of passports and travel documents and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; false charges; and physical, mental and sexual abuse. One Nepali man was reportedly recruited for work in Qatar as a domestic servant, but was then coerced or forced into labor in Saudi Arabia as a farm worker. Qatar is also a destination for women from China, Indonesia, the Philippines, Morocco, Sri Lanka, Lebanon, India, Africa, and Eastern Europe for prostitution, but it is unknown how many are trafficked for the purpose of commercial sexual exploitation.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In February 2009, Qatar enacted a new migrant worker sponsorship law that criminalizes some practices commonly used by trafficking offenders, and it announced plans to use that law effectively to prevent human trafficking. Senior members of the Qatari government have indicated their plans to finalize and enact a draft comprehensive law on human trafficking. These measures constitute significant efforts by the Qatari government; because they are steps that the government has indicated it will carry out over the coming year, Qatar is placed on Tier 2 Watch List. The Qatari government in early 2009 launched a month-long public outreach campaign that involved local imams advocating anti-trafficking norms and designed to heighten citizen awareness of trafficking in persons. However, punishment for offenses related to trafficking in persons remains lower than that for crimes such as rape and kidnapping, and the Qatari government has yet to take significant action to investigate, prosecute, and punish trafficking offenses. In addition, the government continues to lack formal victim identification procedures and, as a result, victims of trafficking are likely punished for acts committed as a direct result of being trafficked.

Recommendations for Qatar: Enact the draft comprehensive anti-trafficking legislation; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; and abolish or significantly amend provisions of Qatar,s sponsorship law ) such as the provision requiring workers to obtain their sponsor,s permission to leave Qatar -- to prevent the forced

labor of migrant workers.

#### Prosecution

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The Government of Qatar made modest efforts to investigate and prosecute trafficking offenses during the reporting period. Qatar does not prohibit all acts of trafficking, but it criminalizes slavery under Section 321 and forced labor under Section 322 of its Criminal Law. The prescribed penalty for forced labor ) up to six months, imprisonment ) is not sufficiently stringent. Article 297 prohibits the forced or coerced prostitution of a child below age 16; the prescribed penalty is up to 15 years, imprisonment, which is commensurate with penalties prescribed for other grave crimes, such as rape. In February of 2009, the Qatari government enacted a new sponsorship law that explicitly prohibited certain acts found to be common to trafficking in persons. Under this new law employers face stiff penalties and up to three years in jail for such offenses as withholding employees, passports and forcing employees to work for people other than their sponsors. Nonetheless, the government does not have any laws that specifically target all trafficking offenses. During the reporting period, the government prosecuted two individuals under trafficking-related laws. One of these resulted in the conviction of a foreign national for murdering a domestic worker, who was believed to have been subjected to conditions of forced labor; the defendant was sentenced to seven years, imprisonment. The government provided no other evidence of criminally prosecuting or punishing employers or recruiters for forced labor or fraudulent recruitment. Similarly, the government failed to report any law enforcement efforts against trafficking for commercial sexual exploitation.

#### Protection

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Qatar failed to make significant efforts to protect victims of trafficking during the reporting period. Although health care facilities reportedly refer suspected abuse cases to the government anti-trafficking shelter for investigation, the government continues to lack a systematic procedure for law enforcement to identify victims of trafficking among vulnerable populations such as foreign workers awaiting deportation and women arrested for prostitution; as a result victims may be punished and automatically deported without being offered protection. Qatar commonly fines and detains potential trafficking victims for unlawful acts committed as a direct result of being trafficked, such as immigration violations and running away from their sponsors, without determining the underlying causes. Some potential victims remain in deportation centers for several months pending resolution of their cases, permission from their sponsors to leave the country, or in retaliation for seeking to recover unpaid wages or request a new sponsor. The government-operated shelter for victims of trafficking remained underutilized, although it provides some victims with medical, psychological, and legal assistance. During the reporting period, the shelter assisted five victims in filing civil charges against their employers. Qatar sometimes offers relief from deportation so that victims can testify as witnesses against their employers. Nonetheless, the government did not routinely encourage victims to assist in trafficking investigations or consistently offer victims alternatives to removal to countries where they may face retribution or hardship.

#### Prevention

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Qatar made significant efforts to prevent trafficking in persons during the reporting period. The government continued to produce informational anti-trafficking brochures in several targeted languages, posters, and radio and TV commercials. In addition, a large outreach program that enlisted the support of local imams began in March 2009 with the aim of educating Qatari citizens about the moral and legal implications of trafficking in persons. During the year, senior Qatari officials made public statements reflecting the government's recognition that trafficking in

persons is a serious problem in Qatar, though the problem was characterized as a phenomenon that originates in the country of origin rather than Qatar itself. Qatar also tightened visa requirements to prevent the entry of women suspected of engaging in prostitution, but did not report efforts to distinguish these women from victims of trafficking to protect them. The government did not take any other reported measures to reduce the demand for commercial sex acts. Similarly, Qatar did not undertake any known public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad.

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19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier

¶3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion. "

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Qatar placed on Tier 2 Watch List?

A: Qatar was upgraded to Tier 2 Watch List because during the last year its government has taken steps to draft comprehensive anti-trafficking legislation that it expects to enact in the coming year, and enacted revisions to its

sponsorship law. Punishment for offenses related to trafficking in persons, however, remains incommensurate with those of crimes such as rape and kidnapping, and the Qatari government has yet to take significant action to investigate, prosecute, and punish trafficking offenses. In addition, the government continues to lack formal victim identification procedures and, as a result, victims of trafficking are punished for acts committed as a result of being trafficked.

Q2: What progress has Qatar made during the last year in combating trafficking?

A: The Qatari government launched a month-long public outreach campaign in early 2009 that involved local imams advocating anti-trafficking norms and designed to heighten citizen awareness of trafficking in persons. In February 2009, Qatar enacted a new migrant worker sponsorship law that criminalizes some practices commonly used by trafficking offenders, and it announced plans to use that law to prevent human trafficking. Under this law employers face stiff penalties and up to three years in jail for such offenses as withholding employees, passports and forcing employees to work for people other than their sponsors. Senior members of the Qatari government have indicated their plans to finalize and enact a draft comprehensive law on human trafficking.

Q3: What can Qatar do to further the fight against trafficking in persons?

A: The Qatari government could: Enact the draft comprehensive anti-trafficking legislation; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; complete drafting, and enact legislation that prohibits all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion; and abolish or significantly amend provisions of Qatar's sponsorship law that condone forced labor activities and slave-like conditions.

¶12. The Department appreciates posts, assistance with the preceding action requests.

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